I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail on <u>July 9, 2004</u> in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Ref. No.: 12439-0079

by Hill

| | | Libby Hill (| 1 | | |
|---|----------------------|--------------------|------------|--|--|
| OFF FREE TO A NEW ITT | Complete If Known | | | | |
| O'CE REE TRANSMITTA | \mathbf{L} | Application Number | 09/527,931 | | |
| 0) | Filing Date | March 17, 2000 | | | |
| | First Named Inventor | Mathieu | | | |
| Effective 10/01/2001. Patent fees are subject to annual | revision | Examiner Name | R. Chang | | |
| Appleant claims small entity status. See 37 CRF 1.23 | 7 | Art Unit | 3729 | | |
| TOTAL AMOUNT OF PAYMENT | Attorney Docket No. | P114-US | | | |
| | | | | | |

| METHOD OF PAYMENT (check all that apply) | FEE CALCULATION (continued) | | | | | | |
|---|-----------------------------|--------------------|--------------|------------|--|-------------|--|
| ☐ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None | 3. ADDITIONAL FEES | | | | | | |
| ☐ Deposit Account | Large E | Intity | Small E | ntity | | | |
| Account Number 500843 | Fee | Fee | Fee | Fee | Fee Description | Fee Paid | |
| Account Name Kirton & McConkie | Code 1051 | (\$) 130 | Code 2051 | (\$) 65 | Surcharge – late filing fee or oath | Faiu | |
| The Director is authorized to: (check all that apply) | 1051 | 50 | 2052 | 25 | Surcharge – late provisional filing | | |
| | | | | | fee or cover sheet | | |
| | 1053 | 130 | 1053 | 130 | Non-English specification | | |
| ☐ Charge any additional fee(s) or any underpayment of fee(s) | 1812 | 2,520 | 1812 | 2,520 | Request for ex parte reexam | | |
| ☐ Charge fee(s) indicated below, except for the filing fee | 1804 | 920° | 1804 | 920° | Publication of SIR prior to Examiner action | | |
| to the above-identified deposit account. | 1805 | 1,840* | 1805 | 1,840* | Publication of SIR after Examiner | | |
| FEE CALCULATION | | , | | ĺ | action | | |
| 1. BASIC FILING FEE | 1251 | 110 | 2251 | 55 | Extension of one month | | |
| Large Entity Small Entity | 1252 | 420 | 2252 | 210 | Extension of two months | | |
| Fee Fee Fee Fee Fee Description Fee Paid | 1253 | 950 | 2253 | 475 | Extension of three months | | |
| Code (\$) Code (\$) | 1254 | 1,480 | 2254 | 740 | Extension of four months | | |
| 1001 770 2001 385 Utility filing fee | 1255 | 2,010 | 2255 | 1,005 | Extension of five months | | |
| 1002 340 2002 170 Design filing fee | 1401 | 330 | 2401 | 165 | Notice of Appeal | | |
| 1003 530 2003 265 Plant filing fee | 1402 | 330 | 2402 | 165 | Filing appeal brief | | |
| 1004 770 2004 385 Reissue filing fee | 1403 | 290 | 2403 | 145 | Request for oral hearing | | |
| 1005 160 2005 80 Prov.Filing fee | 1451 | 1,510 | 1451 | 1,510 | Petition for public use hearing | | |
| SUBTOTAL (1) (\$) | 1452 | 110 | 2452 | 55 | Pet. to revive – unavoidable | | |
| SUBTOTAL (1) (\$) | 1453 | 1,330 | 2453 | 665 | Pet. to revive – unintentional | | |
| 2. EXTRA CLAIM FEES | 1501 | 1,330 | 2501 | 665 | Utility issue fee (or reissue) | | |
| Fee from Fee | 1502 | 480 | 2502 | 240 | Design issue fee | | |
| Extra Claims below Paid | 1503 | 640 | 2503 | 320 | Plant issue fee | | |
| Total Claims $30 -43^{\circ \circ} = 0 X = 10$ | 1460 | 130 | 1460 | 130 | Petitions to Commissioner | | |
| Indp. Claims $3 -3^{**} = 0 X = $ | 1807 | 50 | 1807 | 50 | Fee under 37 CFR 1.17(q) | | |
| Multiple Dependent = zero | 1806 | 180 | 1806 | 180 | Submission of IDS | | |
| Large Entity Small Entity | 8021 | 40 | 8021 | 40 | Record patent assignment | | |
| Fee Fee Fee Fee Description | 1809 | 770 | 2809 | 385 | Filing submission after final | | |
| Code (\$) Code (\$) | 1810 | 770 | 2810 | 385 | Each additional invention (37 CFR 1.129(a) | | |
| 1202 18 2202 9 Claims in excess of 20 1201 86 2201 43 Ind. Claims in excess of 3 | 1801 | 770 | 2801 | 385 | RCE | 770.00 | |
| 1201 86 2201 43 Ind. Claims in excess of 3 1203 290 2203 145 Mult. dependent Claim | 1802 | 900 | 1802 | 900 | Request for expedited | 770.00 | |
| 1204 86 2204 43 "Reissue independent claims over | 1802 | 900 | 1802 | 700 | examination of design application | | |
| original patent | | | • | | 5 | | |
| 1205 18 2205 9 "Reissue claims in excess of 20 | Other fee (specify) | | | | | | |
| and over original patent | | | | | | | |
| SUBTOTAL (2) (\$) zero | | | | | SUBTOTAL (3) (\$) 770.0 | 00 | |
| or number previously paid, if greater; For Reissues, see above | Reduced | by Basic | Filing Fee | Paid | | | |
| or manufact providesty para, it greater, i or recosace, see above | <u></u> | | | | | | |

| SUBMITTED BY | | (Complete (if applicable)) | | | | |
|-------------------|-----------------------------|----------------------------|--------|-----------|----------------|--|
| Name (Print/Type) | N. Kenneth Burraston | Reg. No. | 39,923 | Telephone | (801) 323-5934 | |
| Signature | Knight & Hoston Rig. No. 34 | 1,481 for | | Date | 7/9/04 | |

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\$ RCE 3709 IFW

Ref. No.: 12439-0079

Globy Hill

| REQUEST | Application No. | 09/527,931 |
|-----------------------------|----------------------|----------------|
| TTE GOLOT | First Named Inventor | Mathieu et al. |
| FOR | Group Art Unit | 3729 |
| | Examiner Name | R. Chang |
| CONTINUED EXAMINATION (RCE) | Attorney Docket No. | P114-US |
| TRANSMITTAL | | |

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

| | 1. | Su | bmis | sion re | sion required under 37 C.F.R. § 1.114 | | | |
|-----------|------|-------------------------|-------------|-------------|---|--|--|--|
| • | | a. | | Previo | usly submitted | | | |
| | | | i. | | Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _ | | | |
| • | | | ii. | | Consider the arguments in the Appeal Brief or Reply Brief previously filed on | | | |
| | | | iii. | | Other | | | |
| | | b. | \boxtimes | Enclos | red | | | |
| | | | i. | \boxtimes | Amendment/Reply | | | |
| | | | ii. | | Affidavit(s)/Declaration(s) | | | |
| | | | iii. | | Information Disclosure Statement (IDS) | | | |
| | | | iv. | | Notice of Related Applications and Patents | | | |
| | | | | | | | | |
| | 2. | 2. <u>Miscellaneous</u> | | | | | | |
| | | a. | | | nsion of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) | | | |
| | | | | | period of months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R.) required.) | | | |
| | | b. | | Other: | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| 07/15/200 | 4 HA | LI11 | 00 | 000121 0 | 9527931 | | | |
| 01 FC:180 | 1 | | | | 770.00 OP | | | |

Appl. No. 09/527,931 RCE dated July 9, 2004 Reply to Office Action of April 9, 2004

| 3. | <u>Fe</u> | <u>es</u> (| The RC | E fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.) |
|----|-----------|-------------|----------------|---|
| | a. | | | Director is hereby authorized to charge the following fees, or credit any overpayments, to sit Account No |
| | | i. | \boxtimes | RCE fee required under 37 C.F.R. § 1.17(e) |
| | | ii. | | Extension of time fee (37 C.F.R. §§ 1.136 and 1.17) |
| | | iii. | | Other |
| | | iv. | \boxtimes | Any additional fee due in connection with the filing of this (these) paper(s) |
| | b. | | Chec | k in the amount of \$ enclosed |
| | | | | |
| | | | | |
| Da | te: ˌ | July | <u>/ 9, 20</u> | Signature: Limite Experience Reg. No. 39,481 feet. N. Kenneth Burraston Reg. No. 39,923 |

Kirton & McConkie 1800 Eagle Gate Tower 60 East South Temple P.O. Box 45120 Salt Lake City, Utah 84111-1004

Telephone: (801) 323-5934

Fax: (801) 321-4893

Ref. No.: 12439-0079

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addressed to Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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09/527,931

Confirmation No. 3919

Applicant Filed

Mathieu et al.

March 17, 2000

TC/A.U.

3729

Examiner

R. Chang

Docket No.

P114-US

Mail Stop RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

AMENDMENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Sir:

In response to the final Office Action of April 9, 2004, the shortened statutory period for response to which ends after July 9, 2004, and in conjunction with the concurrent filing of a Request For Continued Examination, please amend the above-identified application as follows:

Amendments to the Claims are reflected in the list of claims that begins on page 2 of this paper.

Remarks/Arguments begin on page 7 of this paper.